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10/761,584	01/22/2004	Jukka Tuomi	59643.00364	4261
32294	7590	11/08/2007		
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			EXAMINER GILLIS, BRIAN J	
			ART UNIT	PAPER NUMBER
			2141	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/761,584

Applicant(s)

TUOMI, JUKKA

Examiner

Brian J. Gillis

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>03172005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in The United Kingdom on October 24, 2003. It is noted, however, that applicant has not filed a certified copy of the 0324878.8 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 13 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The limitation "a patent practice service accessible via said domain" in lines 9-10 is not described in the specification.

As for claims 14-16, which claim dependency from independent claim 13, these claims are also rejected under 35 U.S.C. 112 first paragraph, per the rationale of claim 13.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2141

Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites the limitation "said user" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5, 11, 13, 14, 17, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Saunders et al (WIPO WO 2002/098062).

(Claim 1 discloses) a communication system comprising: a user equipment (Saunders et al shows the mobile device is user equipment (figure 2, ref #10, page 8, lines 16-18).); an access network to which said user equipment is attachable (Saunders et al shows the user device is attachable to a network (figure 2, ref #40, page 7, lines 1-3).); and an access controller connected to said access network and a domain (Saunders et al shows the network access server connects a user to a network and inherently an intranet (figure 2, ref #60, page 1, lines 24-28).), said access controller arranged to receive a query from said user equipment for a service provided by said

Art Unit: 2141

domain or a service accessible via said domain, to determine if said user equipment is authorized and, if so, to permit said user equipment to obtain said service from or via said domain (Saunders et al shows the network access server receives a request from a user, authenticates the user, and provides access for the user (page 1, lines 24-28)).

(Claim 2 discloses) a system as claimed in claim 1, wherein said access network comprises one of: an IP based network independent of access method; a WLAN; a DSL network; an Ethernet; a GPRS network; a 3G network; and a Bluetooth network (Saunders et al shows the use of a GPRS network (page 3, lines 29-31 and page 4, lines 1-3)).

(Claim 3 discloses) a system as claimed in claim 1, wherein said domain is a mobile operator operated domain (Saunders et al shows large companies have large intranets which only their subscribers have access to (page 1, lines 4-16)).

(Claim 5 discloses) a system as claimed in claim 1, comprising an authorization server function wherein said access controller is arranged to authorize said user equipment by communication with said authorization server function (Saunders et al shows the access server authenticates a user by communicating with the authorization server (page 8, lines 16-25)).

(Claim 11 discloses) a system as claimed in claim 1, wherein if the access controller determines that said user equipment is not authorized, a required service or an IP address of an Internet host is obtained via said access network connected to the Internet (Saunders et al shows a user without access to the secure area may still obtain regular access (page 7, lines 17-21)).

(Claim 13 discloses) an access controller for use in a communication system, comprises: a user equipment (Saunders et al shows the mobile device is user equipment (figure 2, ref #10, page 8, lines 16-18).); an access network to which said user equipment is attachable, said access controller being connectable to said access network (Saunders et al shows the user device is attachable to a network (figure 2, ref #40, page 7, lines 1-3), and the network access server connects a user to a network and inherently an intranet (figure 2, ref #60, page 1, lines 24-28).); and a domain, wherein said access controller is arranged to receive a query from said user equipment for a service provided by said domain, or a patent practice service accessible via said domain, to check if said user equipment is authorized and, if so, to permit said user equipment to obtain said service from or via said domain (Saunders et al shows the network access server receives a request from a user, authenticates the user, and provides access for the user (page 1, lines 24-28)).

(Claim 14 discloses) a controller as claimed in claim 13, wherein said access controller is arranged to authorize said user equipment by communication with an authorization server function (Saunders et al shows the access server authenticates a user by communicating with the authorization server (page 8, lines 16-25)).

(Claim 17 discloses) a communication method, comprising: receiving a query at an access controller from user equipment attached to an access network for a service provided by a domain or a service accessible via said domain (Saunders et al shows a network access server receives a request from a user for a service (page 1, lines 24-28).); checking if said user equipment is authorized (Saunders et al shows the network

Art Unit: 2141

access server connects to an authentication server to authorize the user (page 8, lines 16-25).); and if so, permitting said user equipment to obtain said service from or via said domain (Saunders et al shows access is provided to an authorized user (page 1, lines 24-28)).

(Claim 18 discloses) a communication system, comprising: receiving means for receiving a query at an access controller from user equipment attached to an access network for a service provided by a domain or a service accessible via said domain (Saunders et al shows a network access server receives a request from a user for a service (page 1, lines 24-28).); checking means for checking if said user equipment is authorized (Saunders et al shows the network access server connects to an authentication server to authorize the user (page 8, lines 16-25).); and if so, permitting means for permitting said user equipment to obtain said service from or via said domain (Saunders et al shows access is provided to an authorized user (page 1, lines 24-28)).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 8-10, 12, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saunders et al (WIPO WO 2002/098062) in view of Westman et al (WIPO WO 2002/47415).

Claim 4 discloses a system as claimed in claim 1, wherein said query comprises a DNS query. Saunders et al teaches the limitations of claim 1 as recited above. It fails to teach said query comprises a DNS query. Westman et al teaches a DNS query is used (figure 1, page 10, lines 10-12).

Saunders et al and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to use the DNS query feature in Westman et al with the system in Saunders et al because a finding a serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Claim 8 discloses a system as claimed in claim 1, wherein said access controller is arranged to provide an authorization function if said query received from said user equipment identifies said access controller. Saunders et al teaches the limitations of claim 1 as recited above. It fails to teach said access controller is arranged to provide an authorization function if said query received from said user equipment identifies said access controller. Westman et al teaches a DNS query is sent and indicates the name of the server (page 10, lines 5-15).

Saunders et al and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use authorization if the access controller is identified feature in Westman et al with the system in Saunders et al because finding a serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Art Unit: 2141

Claim 9 discloses a system as claimed in claim 1, wherein said access controller is arranged to provide an authorization function if said query received from said user identifies said access controller as a primary domain name server. Saunders et al teaches the limitations of claim 1 as recited above. It fails to teach said access controller is arranged to provide an authorization function if said query received from said user identifies said access controller as a primary domain name server. Westman et al teaches a DNS query is sent to the identified DNS server (page 10, lines 5-15).

Saunders et al and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use authorization if the access controller is identified feature in Westman et al with the system in Saunders et al because finding a serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Claim 10 discloses a system as claimed in claim 8, wherein said query comprises a DHCP query. Westman et al further teaches the use of DHCP queries (page 18, lines 23-35).

Claim 12 discloses a system as claimed in claim 11, wherein if said user equipment is not authorized the access controller is arranged to query a server of said access network in response to the query. Saunders et al teaches the limitations of claim 11 as recited above. It fails to teach if said user equipment is not authorized the access controller is arranged to query a server of said access network in response to

the query. Westman et al teaches if a user is not authorized a registration server is queried and registration takes place (page 22, line 22 – page 23, line 7).

Saunders et al and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the query a server if the user is not authorized feature in Westman et al with the system in Saunders et al because finding serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Claim 15 discloses a controller as claimed in claim 13, wherein said access controller is arranged to provide an authorization function if the query received from said user equipment identifies said access controller. Saunders et al teaches the limitations of claim 13 as recited above. It fails to teach said access controller is arranged to provide an authorization function if said query received from said user equipment identifies said access controller. Westman et al teaches a DNS query is sent and indicates the name of the server (page 10, lines 5-15).

Saunders et al and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use authorization if the access controller is identified feature in Westman et al with the system in Saunders et al because finding a serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Art Unit: 2141

Claim 16 discloses a controller as claimed in claim 13, wherein if said user equipment is not authorized, the access controller is arranged to query a server of said access network in response to the query. Saunders et al teaches the limitations of claim 13 as recited above. It fails to teach if said user equipment is not authorized the access controller is arranged to query a server of said access network in response to the query. Westman et al teaches if a user is not authorized a registration server is queried and registration takes place (page 22, line 22 – page 23, line 7).

Saunders et al and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the query a server if the user is not authorized feature in Westman et al with the system in Saunders et al because finding serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saunders et al (WIPO WO 2002/098062) in view of Roos (WIPO WO 2000/64104).

Claim 6 discloses a system as claimed in claim 5, wherein said authorization server function comprises information defining a profile for said user equipment. Saunders et al teaches the limitations of claim 5 as recited above. It fails to teach said authorization server function comprises information defining a profile for said user equipment. Roos teaches the authentication server stores authorization information for users (figure 3).

Art Unit: 2141

Saunders et al and Roos are analogous art because they are both related to connecting a network device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the storage feature in Roos with the system in Saunders et al because this ensures a user as permission to establish a connection with the network (Roos, page 8, lines 24-26).

Claim 7 discloses a system as claimed in claim 5, wherein said authorization server function is arranged to provide attributes to said access controller, said access controller arranged to determine session parameters for said user equipment based on said attributes. Saunders et al teaches the limitations of claim 5 as recited above. It fails to teach said authorization server function is arranged to provide attributes to said access controller, said access controller arranged to determine session parameters for said user equipment based on said attributes. Roos teaches the allowed services for each user is stored (figure 3, page 9, lines 19-26).

Saunders et al and Roos are analogous art because they are both related to connecting a network device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the storage feature in Roos with the system in Saunders et al because this ensures a user as permission to establish a connection with the network (Roos, page 8, lines 24-26).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gupta et al (US Patent #6,567,667) teaches of a domain selecting system.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Gillis whose telephone number is 571-272-7952. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2141

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian J Gillis
Examiner
Art Unit 2141


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10/31/2007


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